

**NOTIFICATION OF ENHANCEMENT – NO INSURANCE, NO PROOF OF INSURANCE**

Defendant: \_\_\_\_\_, Case No. \_\_\_\_\_

**ELEMENTS**

**No Insurance** 41-12a-302: Any owner of a motor vehicle on which insurance is required who operates his or her vehicle or permits it to be operated on a highway in this state without insurance is guilty of a class B misdemeanor. Any other person who operates a motor vehicle upon a highway in Utah with the knowledge that the owner does not have insurance in effect for the motor vehicle is guilty of a class B misdemeanor, unless that person has insurance on a Utah-registered motor vehicle or its equivalent that covers the operation, by the person, of the motor vehicle in question.

Note: 41-12a-301(5): Owner's or operator's security is not required for any of the following: (a) properly-registered off-highway vehicles when operated on legally-designated roads or in a legally-designated manner; (b) off-highway implements of husbandry operated in a legally-designated manner; (c) electric-assisted bicycles, motor-assisted scooters, and personal-motorized-mobility devices (as defined under Section 41-6a-102).

**No Proof of Insurance** 41-12a-303.2(2)(a)(i): A person operating a motor vehicle shall: (A) have in the person's immediate possession evidence of owner's or operator's security for the motor vehicle the person is operating; and (B) display it upon demand of a peace officer. 41-12a-303.2(5): A violation of this section is a class B misdemeanor.

Note: 41-12a-303.2(2)(a)(ii): A person is exempt from the requirements of Subsection (2)(a)(i) if the person is operating: (A) a government-owned or leased motor vehicle; or (B) an employer-owned or leased motor vehicle and is driving it with the employer's permission.

Note: 41-12a-303.2(3): It is an affirmative defense to a charge under this section that the person had owner's or operator's security in effect for the vehicle the person was operating at the time of the person's citation or arrest.

**ENHANCEMENT / PENALTIES**

41-12a-302(1): For a conviction of No Insurance or No Proof of Insurance, the fine shall be not less than: (a) \$400 for a first offense; and (b) \$1,000 for a second and subsequent offense within three years of a previous conviction or bail forfeiture.

41-12a-604: For a conviction of No Insurance or No Proof of Insurance, the defendant's operator's license shall be suspended by the Department of Public Safety.

**Minimum / Maximum Sentence**

Class B Misdemeanor: 0 days to 6 months jail; Amounts listed above to \$1,000 fines and surcharges, plus interest

*I understand the foregoing Notification of Enhancement as explained here and as orally explained to me.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant